

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Chong's Produce, Inc.,

No. C 09-01013 JW

Plaintiff,

**ORDER VACATING PRELIMINARY
PRETRIAL CONFERENCE; MODIFYING
SCHEDULING ORDER**

v.

Premium Fresh Farms, LLC, et al.,

Defendant.

/

This case was scheduled for a Preliminary Pretrial Conference on July 6, 2009. The parties conferred and duly submitted a Joint Preliminary Pretrial Conference Statement. Based on their joint submission, the Court finds that this case is not yet ready for a trial schedule. Accordingly, the Court VACATES the conference and ORDERS as follows:

- (1) A hearing on the parties' anticipated cross-motions for summary judgment will be held on **October 19, 2009 at 9 a.m.** The parties shall notice their motions and file their briefs in accordance with the Civil Local Rules of the Court.
- (2) The Court will set a new Preliminary Pretrial Conference date in its Order addressing the parties' anticipated cross-motions for summary judgment.

Dated: July 1, 2009


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Clyde Charles Pearce ccp@clydepearcelaw.com
3 Susan E. Bishop sbishop@prattattorneys.com

4 Emmitt Pfost
5 9 Santa Lucia Avenue
5 Salinas, Ca 93908

6

7 **Dated: July 1, 2009**

8 **Richard W. Wiking, Clerk**

9 **By: /s/ JW Chambers**
10 **Elizabeth Garcia**
11 **Courtroom Deputy**